

COMMISSION MEETING MINUTES  
July 8, 2014

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah on July 8, 2014 at 10:00 am. Members present were: Commissioner Louenda H. Downs - Chair, Commissioner P. Bret Millburn, Commissioner John Petroff, Jr., Clerk/Auditor Chief Deputy Audit/Finance Curtis Koch, Davis County Civil Attorney Michael Kendall, and Deputy Clerk/Auditor Janet Hanson.

Bryon Saxton, Standard Examiner, led the Pledge of Allegiance. All in attendance were invited to stand and join in with “gusto”.

Special  
meeting @  
Bountiful City

The Commissioners, in their effort to make themselves available to the citizens, will be meeting tonight, July 8, 2014 at 6:30 p.m. in connection with Bountiful City Council’s work-session and meeting.

Recognition of  
UTA Award –  
2014  
Outstanding  
Public  
Transportation  
System

Commissioner Millburn, Davis County’s representative on the Utah Transit Authority (UTA) Board, recognized Utah Transit Authority having been named as the 2014 Outstanding Public Transportation System by the American Public Transportation Association (APTA). APTA is the international organization representing the transit industry in both the United States and Canada. Receiving this award means UTA is the best large public transportation system in North America, competing with the likes of New York, Chicago, and Los Angeles. This speaks very highly of UTA and their accomplishments. UTA has tackled some major capital projects the last number of years. They had outlined a program of projects to run through 2015. Because of their efficiencies they were able to complete those series of projects 2 years early and \$300 million under budget which is very commendable. These projects included service to citizens of Davis County. UTA’s focus now is to increase ridership. He is pleased to be associated with UTA and the great work they are doing. It doesn’t mean they are perfect. Nobody is. They continue to strive to do better. He offered his congratulations to UTA. He introduced in the audience, Matt Sibul, UTA Chief Planning Officer, Chuck Gates, UTA Government Liaison, and Jaime White, UTA Engineer.

Davis-Salt  
Lake  
Community  
Connector  
Study Report

Commissioner Millburn explained the proposed resolution is part of a regular process that UTA and entities go through when they are looking at service enhancements. This is a step in a long process. Jaime White, UTA Engineer, explained UTA has been working on the Davis–Salt Lake Community Connector Study for the past year. It is a continuation of a previous project known as the South Davis Connector Study (South Davis Transit Study). The study area is from the north end of Salt Lake City into Bountiful and connects up to the commuter rail station in Woods Cross. The difference between this project and the previous project is there was more upfront public involvement which included focus groups, phone polls, social media, Twitter and a UTA app called Open UTA. There were 6-7 alternatives on several alignments and modes (light rail, bus & bus rapid transit [BRT]). With the technical assistance of Wasatch Front Regional Council (WFRC), it was narrowed down to 2 alternatives which indicated what modes and alignments serve the needs best as defined in the purpose and need. Upon approved resolutions for the locally preferred alternative by the cities, County, WFRC and the UTA, it allows them to move into the next phase of the project and ultimately seek federal funding for the project. Meeting with all the project partners (Salt Lake County, UTA, WFRC, SLC, North Salt Lake [NSL]) the purpose and need was defined as: mobility, access, choice of transit, ability to use transit or not, economic development opportunities along the corridor, revitalization of the corridor (Highway 89), growth of NSL and Bountiful and to serve the different transit markets. Having attended a focus group and open houses, Commissioner Millburn commended the process. The 2 alternatives are: 1) enhanced bus (express) with stations further apart; 2) BRT, as its own guide way

(light rail on tires). The cost difference between the two due to the BRT having center running stations, its own guide way, and signal priority, which is where the added efficiency comes from. Commissioner Millburn felt the BRT’s infrastructure gives it more permanency, which benefits the surrounding property owners and generates additional development. It also attracts more ridership because it is a more efficient system. With more riders, the operation and maintenance costs are reduced. Commissioner Petroff said, “The people who live there want it, and this is what we should be doing.” He commended UTA for their efforts of the study, and for getting the public’s involvement and input.

Resolution #2014-226 adopting preferred alternative for UTA to extend transit options within the Davis-Salt Lake Community Connector Study Corridor

Resolution #2014-226 adopting a locally preferred alternative for the Utah Transit Authority (UTA) to extend transit options within the Davis-Salt Lake Community Connector Study Corridor was presented. The alternative is the BRT of 50% of the corridor. It runs on Main Street in Bountiful; 400 West in SLC, eventually running up to the University of Utah. It was noted that Bountiful City and North Salt Lake City have already approved this alternative by resolution. Commissioner Millburn explained there is a section of the alternative that runs through unincorporated Davis County. It was noted that Davis County was also a financial participant in the study. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn indicated UTA has been working on a couple of other projects in Davis County: the circulator study in the Layton and Clearfield area, and the recently implemented service from the Clearfield station directly to Hill Air Force Base.

Presentation regarding Tax Revenue Anticipation Notes (TRAN)

Commissioner Downs presented a resolution authorizing the issuance and sale of Tax Revenue Anticipation Notes (TRAN). She explained there is a lag time annually from when the County provides services and the property taxes are received. Annually, the County takes out Tax Revenue Anticipation Notes which are then paid off at the end of the year. She introduced Blake Wade, Ballard Spahr (bond counsel), and Johnathan Ward, Zions Bank Public Finance. Blake indicated TRAN is a cost effective way of bridging the gap between the start of the fiscal year and when note proceeds come in. He explained the resolution is authorizing up to \$5,000,000.00 of TRAN. It could bear interest not to exceed 2% and mature by the end of the calendar year. Johnathan spoke of the bond buyer index which is an indication of the market in general. The index shows it is a very good time to borrow. Zions has done some analysis that encourages a change in who the bonds are marketed to. Historically, they have been sold in the market. They have been offered to the public in general. An official statement has described the credit associated with those notes for investors nationwide. This is their recommendation because of the cost of that document and the cost of obtaining a rating for the notes for the smaller amount and shorter time period between issuance and close and maturity. It is not cost beneficial to the County to sell the notes in the market. They anticipate marketing the bonds to a smaller audience, a direct purchase audience, where local institutions and not local institutions would bid on and buy all of the notes themselves. By so doing, there will be a little higher interest rate than in the past. Historically they sold at a yield of about 15 basis points. Because of the up-front costs associated with selling in the market place, there are greater all inclusive costs. By doing a direct purchase, the up-front costs are reduced, there is a little higher interest rate on the notes, but all inclusive it saves the County about \$9,000.00 according to their analysis. So the marketing approach has been modified slightly. Curtis Koch, said it is a timing issue based upon the County rendering services January 1 and taxes are collected in October, November. It is simply a cash flow issue. He gave appreciation to Zions and Ballard Spahr for their guidance and direction in helping the County to obtain these bonds.

Resolution #2014-227 authorizing the issuance & sale

Resolution #2014-227 authorizing the issuance and sale of not to exceed \$5,000,000.00 (\$5Million) Davis County, Utah Tax and Revenue Anticipation Notes, Series 2014 was presented. Commissioner Petroff

of not to exceed \$5 million TRAN	made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Agreement #2014-228 ACME Construction curb & gutter at LEC	Robert Smith, Davis County Public Works Chief Deputy, presented agreement #2014-228 with ACME Construction to install curb & gutter at the Legacy Events Center. It is in the payable amount of \$83,849.20. He indicated there were 3 bids submitted on the project. Contract period is from signing to completion (estimated 2weeks). Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
COPS Grant application held	The grant application to the U.S. Dept. of Justice – COPS Hiring Program was held for further review.
Agreement #2014-229 funding for Senior Services	Diana Reich, Davis County Health Department, presented agreement #2014-229 with the Utah Dept. of Human Services for the annual renewal of funding for the Senior Services division based upon the Older Americans Act. In the receivable amount of \$1,554,410.00. Contract period is July 1, 2014 – June 30, 2015. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Agreement #2014-230 Standard Examiner advertise & sponsor 2014 Fair	<p>Brooks Burr, Davis County Fair Coordinator, presented the following:</p> <p>Agreement #2014-230 with Ogden Publishing Co. (Standard Examiner) for advertising services and sponsorship of the 2014 Davis County Fair. They will provide the County with \$8,945.00 worth of advertising for the payable amount of \$3,500.00. The remaining \$5,445.00 is in-trade for sponsorship items. Contract period is June 26, 2014 – August 16, 2014. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p>
Agreement #2014-231 Magical Celebrations perform at 2014 Fair	Agreement #2014-231 with Magical Celebrations, a princess performing group, for 2 performances on the kick-off event the first day of the 2014 Davis County Fair. They will also interact with Fair goers throughout the day. It is a payable amount of \$2,500.00. Contract period is August 13, 2014. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Agreement #2014-232 Marie Callendar's pie eating contest at 2014 Fair	Agreement #2014-232 with Marie Callendar's to sponsor the 2014 Davis County Fair pie eating contest. They will provide the pie and be in charge of the competitions. There are no funds involved. Contract period is August 13 -15, 2014. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Agreement #2014-233 KSL Media Group for promotion of Summerfest 2014	Marlin Eldred, Davis County Community & Economic Development, presented agreement #2014-233 with KSL Media Group for media promotion of Summerfest 2014. KSL submits a proposal to the Utah Office of Tourism annually to create marketing packages. He explained KSL then sells out 2-3 packages per organization throughout the State of Utah. The Utah Office of Tourism provides a dollar for dollar match for the program. KSL also contributes on top of that amount. The payable amount is \$4,500.00 (from the tourism fund) which will equate to \$11,000.00. Contract period is July 8, 2014 – August 15, 2014. If it is proven to be a good return on investment, it will be used for Davis County events (Bird Festival & Moonlight Bike Ride) in the future. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Amendment #2010-212F FY2014 legislative	Tanya Perkins, Davis County Children's Justice Center Director, presented amendment #2010-212F with the Utah Attorney General's Office for FY2015 legislative appropriation to the Davis County Children's

Justice Center. It is a receivable amount of \$194,259.00. Contract period is July 1, 2014 – June 30, 2015. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn made a motion to convene as the Board of Canvass. Commissioner Petroff seconded the motion. All voted aye.

Brian McKenzie, Davis County Elections Director, explained the final results of the primary election held June 24, 2014 are prepared and will now be presented to the Commission for their approval and to be certified. The successful candidates will then move on to the general election in November. Brian described some of the behind the scenes work which was done. It was a by-mail election. It was a closed primary election (Republican) which changes the dynamics of who and who cannot participate. There were 94,700 by-mail ballots. Because of the Davis School Board elections some of the ballots included unaffiliated voters and other political parties. There were 7 vote centers on election day. There were 26,460 people who cast their ballot in the primary election. In comparison (total registered voters) with neighboring counties: Weber County had a 6.9% turn out; Utah County had a 7.2% turn out; Salt Lake County has a 9.74% turnout; Davis County had a 19.3% turn out. Again, that is total registered voters. If looking at “eligible” voters it would be a 28% turn out for Davis County. That number represents great participation in a primary election in Davis County. Of those voters, 25,326 chose to return their by-mail ballot, 1,134 voted at the vote centers. The nationwide trend is a downward trend on voter participation. In Davis County, this trend was reversed. Brian went on to explain in 2006, the then Lt. Governor Herbert adopted an election policy creating minimum standards of use of Diebold TSX and OS counting devices. Part of that policy requires a state-wide 1% audit of the voting machines that are used in the election. There were 8 voting machines audited June 27<sup>th</sup>, 2014 with proper public notice given. There was a team of 3 poll workers who examined the voter verified paper audit trail (canister). They hand-counted the votes and compare them to the electronic tabulation done election night. They examined the tamper evidence seals to make sure no one had interfered with the election. The results of the audit show the tabulations precisely match the machine totals compared to the electronic tabulation. Brian explained there were 89 by-mail ballots received but they were unable to be counted, the majority of those because they were mailed in too late. Some because they did not have the voter’s signature or their signatures did not match. There were 7 provisional ballots that were not able to be counted due to improper ID or they had already sent in their by-mail ballot. A total of 96 ballots were not counted.

Brian announced the election summary results as follows:

Davis School Board 6:

Of the 17,917 eligible voters, 3,223 voters participated with an 18% turnout.  
Thomas Wagner 31.61 %; Mona Andrus 47.01%; Michael Sperry 21.38%

- Thomas Wagner & Mona Andrus will proceed to the November election ballot

Davis School Board District 3:

Of the 22,986 eligible voters, 6,548 voters participated with a 28.5% turnout.  
Barbara Beard White 3.63%; Hiram Alba 6.64%; David Nelson 43.37%;  
Peter Cannon 19.80%; Julie Tanner 26.55%

- David Nelson and Julie Tanner will proceed to the November election ballot

Davis County Commissioner Seat A:

Of the 73,794 eligible voters, 23,913 voters cast a ballot with a 32.4% turnout.  
P. Bret Millburn 55.71%; Brian Muir 44.29%

- P. Bret Millburn will proceed to the November election ballot.

State Representative District 19:

Of the 11,025 eligible voters, 5,776 voters cast a ballot with a 52.4% turnout.  
Ray Ward 51.83%; Chet Loftis 48.17%

- Ray Ward will proceed to the November election ballot.

Cyndi Chamberlain and Lori Schiess, Davis County Clerk/Audit Office, presented the Commissioners with reports for the review. Brian explained the first page is a summary report of all of the races. The second set of reports is the “Statement of Votes Cast” which is a detailed report by precinct of the method of voting of the voters and the break-out of the votes that were counted for each candidate in each race. The next report was a break-down of election results that were released election night indicating if they were by-mail ballots or cast on election day on the voting machines. Then there is a post-election night breakdown of where those votes came from and how they were reported. The final report was a summary of the ballots that were not counted along with the reasons why they were not counted.

The Commissioners highly commended Brian and his entire team for the excellent job they performed on the primary election. They have also heard praise for his department’s efforts from cities and citizens as well. They said the citizens’ enthusiasm grew for the by-mail ballot system. They stated his department has set the standard across the state. Brian also commended his team and the other departments which are very involved in the process; Information Systems and Facilities. He also said they have learned a lot. He considers that if they ever stop learning they stop progressing. They learned some different ways of cleaning up the voting records, and to make some things more efficient. They went in wanting to learn what practices can improve the by-mail system; improve participation and the overall election experience for the citizens.

Steve Rawlings, Davis County Clerk/Auditor, spoke from the audience. He thanked the Commissioners for their support in this by-mail election process. He indicated one of the other reasons for doing the vote by-mail is the current voting machines are becoming outdated and will need to be replaced. Originally Federal funds were used to purchase the machines. The cost to replace them would be in the millions of dollars. The by-mail voting is an acceptable alternative which will keep costs down.

Kent Sulser, Davis County Community & Economic Development Director, spoke from the audience. He inquired as to the analysis of statistical data for the time frame voters returned their by-mail ballots. Brian indicated they did keep a daily tally and if they were delivered at a drop-off location or delivered by mail. They have kept the records and will use the information in the future for staffing purposes.

Commissioner Petroff made a motion to accept the Election Canvass as presented. Commissioner Downs seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn made a motion to reconvene Commission Meeting. Commissioner Petroff seconded the motion. All voted aye.

Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Petroff seconded the motion. All voted aye.

Dale Peterson, Davis County Tax Administration Director, presented the Property Tax Register which reflected 312 corrections. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.

Commissioner Millburn made a motion to reconvene Commission Meeting. Commissioner Petroff seconded the motion. All voted aye.

Check registers as prepared by the Davis County Clerk/Auditor’s Office were approved by a motion from Commissioner Millburn. Commissioner Petroff seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Commissioner Comments

Commissioner Millburn enjoyed the celebrations this past weekend in recognition of this great

Property Tax  
Register  
approved

Check registers  
approved

Commissioner  
Comments

country which allows us to exercise the right to vote and participate in all of the freedoms we enjoy. It is a great opportunity to reflect on the United States of America and all that it means. He is grateful to be an American!

Commissioner Petroff had read that the 4<sup>th</sup> of July is the holiday where all of the cities, no matter what size they are, try to look like small town America. He thinks that is pretty true. He and his family love to go to their little corner of Davis County and spend the day with all of their friends. There is nothing better.

No public comment.

Meeting adjourned.

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Clerk/Auditor

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Chair